

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

January 24, 2004

At 9:33 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Blease, Associate Justice; Morrison, Associate Justice; Robie, Associate Justice; and Guzman, bailiff.

C045039 THE PEOPLE v. COPAS

Cause called. Mark Greenberg, court appointed counsel, argued for appellant. Wanda Hill Rouzan, Deputy Attorney General, argued for respondent. Cause called.

At 9:58 a.m., the court recessed. At 10:02 a.m., the court reconvened with Sims, Associate Justice; Nicholson, Associate Justice; and Robie, Associate Justice.

C043777 THE PEOPLE v. EGHTESEADI

Cause called. Dennis P. Riordan argued for appellant. Paul E. O'Connor, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:27 a.m., the court recessed. At 10:32 a.m., the court reconvened with Nicholson, Associate Justice; Raye, Associate Justice; and Morrison, Associate Justice.

C044486 BOURNE et al. v. MANUELLI

Cause called. Kenneth D. Airola argued for appellant. William R. Warne argued for respondents. Cause submitted.

At 11:03 a.m., the court recessed. At 2:05 p.m., the court reconvened with Sims, Associate Justice; Raye, Associate Justice; and Morrison, Associate Justice.

C042668 JOHNSON et al. v. SIERRA TERRA, INC., et al.

C043128 JOHNSON et al. v. SIERRA TERRA, INC., et al.

Cause called. Randy M. Andrus argued for appellants. Freda D. Pechner argued for respondents. Cause submitted.

At 2:45 p.m. the court recessed until 9:30 a.m., Monday, February 14, 2005.

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The Minutes

January 25, 2005

- C040513 THE PEOPLE v. MCDANIEL (Not for Publication)**
Defendant's convictions for forcible lewd and lascivious conduct as set forth in courts 4 and 11, are vacated. Defendant's remaining convictions are affirmed. The matter is remanded to the trial court... On resentencing, the trial court shall not impose a restitution filed pursuant to section 294, subdivision (b) unless it first determines defendant's ability to pay. The court shall prepare an amended abstract of judgment and forward a certified copy to the Department of Corrections.
HULL, J.
We Concur: Scotland, P.J.
Morrison, J.
- C044602 THE PEOPLE v. HALL (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Blease, J.
Davis, J.
- C044810 BREKKE v. WILLS (CERTIFIED FOR PUBLICATION)**
The injunction is modified to expire on June 14, 2005, and is affirmed as modified.
SCOTLAND, P.J.
We Concur: Hull, J.
Robie, J.
- C047144 FERRARIS v. ALEXANDER (CERTIFIED FOR PUBLICATION)**
The judgment is affirmed. Mother shall recover her costs on appeal. (Cal. Rules of Court, rule 27(a).)
ROBIE, J.
We Concur: Nicholson, Acting P.J.
Hull, J.

January 26, 2005

- C043519 THE PEOPLE v. WERTZ (Not for Publication)**
The judgment is affirmed.
DAVIS, J.
We Concur: Scotland P.J.
Blease, J.

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The Minutes

January 26, 2005, continued

- C043756 THE PEOPLE v. ARNOLD (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Blease, Acting P.J.
Morrison, J.
- C044448 THE PEOPLE v. THURMAN (Certified for Partial Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Nicholson, J.
Robie, J.
- C047135 THE PEOPLE v. IVERY (Not for Publication)**
The judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Davis, J.
Nicholson, J.
- C044535 SINGH v. LIPWORTH et al. (Not for Publication)**
The order of dismissal is affirmed.
DAVIS, Acting P.J.
We Concur: Hull, J.
Robie, J.
- C046025 FAIRBANKS v. SAV MAX FOODS, INC. et al. (Not for Publication)**
The judgment is affirmed. Fairbanks shall pay Sav Max's costs of this appeal. (Cal. Rules of Court, rule 27(a).)
MORRISON, J.
We Concur: Davis, Acting P.J.
Robie, J.

January 27, 2005

- C043275 THE PEOPLE v. LUJAN (Not for Publication)**
The judgment is reversed solely for resentencing. In all other respects the judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Raye, J.
Robie, J.

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The Minutes

January 27, 2005, continued

- C044328 THE PEOPLE v. HAMMOND (Not for Publication)**
The judgment is affirmed.
HULL, J.
We Concur: Blease, Acting P.J.
Morrison, J.
- C044740 THE PEOPLE v. MOORE (Not for Publication)**
The probation conditions requiring submission to alcohol testing, alcohol abstention, and searches for alcohol possession are stricken. In all other aspects, the judgment is affirmed.
MORRISON, J.
We Concur: Sims, Acting P.J.
Nicholson, J.
- C045955 THE PEOPLE v. SQUYRES (Not for Publication)**
The judgment is affirmed.
Raye, J.
We Concur: Scotland, P.J.
Morrison, J.
- C046166 THE PEOPLE v. HEREDIA (Not for Publication)**
The trial court's orders that defendant pay attorney's fees in the amount of \$1,200 and that specimens be collected are stricken... As modified, the judgment is affirmed.
HULL, J.
We Concur: Raye, Acting P.J.
Morrison, J.
- C044196 SADLER v. GREG CARPENTER CONCRETE, INC. (Not for Publication)**
The order granting a new trial (see appendix A, post) is reversed. The cause is remanded to the trial court with directions to reinstate the judgment in favor of Sadler and against Carpenter Concrete. Costs on appeal are awarded to Sadler. (Cal. Rules of Court, rule 27(a).)
Butz, J.
We Concur: Blease, Acting P.J.
Sims, J.

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There were no minutes for this date.